

REMARKS

Reconsideration of the present application, as amended, is respectfully requested. Claims 1-4 and 6-62 are pending. Claims 1 and 62 have been amended. No claims have been cancelled or withdrawn. Therefore, claims 1-4 and 6-62 are presented for examination.

The Examiner, in the Response to Argument states that Applicants' argument that "plug and play devices use a standard protocol... the operating system will detect new hardware and install it" is a narrow interpretation of the references. The Examiner suggests that the digital camera and host devices in the references "must recognize each other in a query/response fashion in order to establish communication."

Applicants respectfully disagree. In a plug-and-play environment, as is known in the art, the process is initialized and controlled by the operating system of the host device.

Applicants are enclosing a page from the On-line PC Guide, describing the operation of plug-and-play devices, as defined by their specification. As can be seen, the entire operation is controlled by the host system. Therefore, Applicants respectfully submit that their previous arguments stand. Furthermore, Applicants fail to see any teaching in the references cited by the Examiner that shows otherwise. Therefore, Applicants respectfully submit that the previous argument is accurate.

Examiner rejected claims 1, 21, and 41 under 35 U.S.C. §112, first paragraph, as based on a disclosure, which is not enabling, "automatically identifying the particular host device that the digital camera device is currently connected to, including determining communication information allowing communication between the digital

camera device and the particular host device” critical or essential to the practice of the invention, but not included in the claims is not enabled by the disclosure. Applicants respectfully point out that this limitation is straight from claim 1, and thus is present in the claims. With respect to support in the Specification, Applicants respectfully wish to point the Examiner to page 10, second paragraph to page 12, second paragraph of the Specification, where an exemplary implementation of this process is explained in some detail. If a telephone conference with the undersigned would clarify this technique, the Examiner is invited to call the undersigned at any time.

Examiner rejected claims 1-2, 6, and 9-11 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2002/0171737 by Tullis in view of U.S. Publication No. 2003/0135681 by Laity et al. Applicants note that Tullis '737 is a continuation of the same reference previously cited, U.S. Patent No. 6,535,243, and thus has an identical disclosure. Therefore, Applicants respectfully submit that the claim amendments did not necessitate a new search or rejection, and the finality of the current Office Action should be withdrawn.

Tullis discusses a wireless hand-held digital camera. Tullis' system describes a continuous wireless connection between a host computer and a camera. (Tullis, paragraph 9). Tullis does not discuss how the wireless connection is established. Paragraph 28 of Tullis is the only portion which discusses the connectivity. It states that the computer transceiver is compatible with the camera transceiver and enables the transfer of electronic data between the hand-held digital camera and the host computer over a communications link that is at least partially a wireless communications link.

Tullis does not teach or suggest establishing a communication session supporting photo-serving communication protocols that present the digital camera device as a file server to the host device. On the contrary, Tullis specifically teaches away from this, by stating that “the camera can display previously captured images by accessing image data that is stored in the host computer. For example, the hand-held digital camera can access and display an image that was captured the previous day, since the data is stored in the host computer. (Tullis, paragraph 11, emphasis added). Thus, since the data is stored in the host computer in the system of Tullis, the camera device need not act as a file server, since there is no data for it to serve.

Laity discusses a computer port expansion. The Examiner points to paragraph 6 of Laity, which notes that USB plug-and-play devices are well known in the art. While Applicants concur that plug-and-play devices are known in the art, plug-and-play is not equivalent in any way to “automatically identifying the particular host device that the digital camera is currently connected to.” Plug-and-play devices use a standard protocol, when you attach a new hardware device to the computer and boot up, the operating system will detect the new hardware and install it, sometimes requiring some additional information about the device which must be given by the user. This is not equivalent in any way to identifying the host device.

Claim 1, as amended, recites in part “automatically identifying the particular host device that the digital camera device is currently connected to, including determining communication information allowing communication between the digital camera device and the particular host device; based on said determined communication information,

establishing a communication session between the digital camera device and the particular host device, said communication session supporting photo-serving communication protocols that present the digital camera device as a file server to the host device.” As discussed above, neither Tullis nor Laity teach or suggest a camera automatically identifying the host device the camera is connected to, nor presenting the camera as a file server to the host device. Therefore, claim 1, and claims 2-4, and 6-20 which depend on it, are not obvious over Tullis in view of Laity.

The Examiner further added the following references, in rejecting the dependent claims: Examiner rejected claims 3-4, 12, and 17-18 under 35 U.S.C. §103(a) as being unpatentable over Tullis in view of Laity et al. as applied to claim 1 above, and further in view of U.S. Patent No. 6,628,325 by Steinberg et al. Examiner rejected claims 7-8 and 16 under 35 U.S.C. §103(a) as being unpatentable over Tullis in view of Laity et al. as applied to claim 1 above, and further in view of U.S. Publication No. 2003/0142215 by Ward et al. Examiner rejected claims 13-15 under 35 U.S.C. §103(a) as being unpatentable over Tullis in view of Laity et al. and further in view of Steinberg et al. as applied to claim 12 above, and further in view of U.S. Patent No. 5,737,491 by Allen et al. Examiner rejected claims 19 and 20 under 35 U.S.C. §103(a) as being unpatentable over Tullis in view of Laity et al. as applied to claim 1 above, and further in view of U.S. Patent No. 6,148,354 by Ban et al.

Examiner rejected claims 21-22, 26, 31, and 37-40 under 35 U.S.C. §103(a) as being unpatentable over Tullis in view of Laity et al. and further in view of Ban et al.

Ban discusses an architecture for a USB based PC flash disk. The Examiner points to column 9, lines 1-27 for the feature of “automatically identifying the particular host device that the portable device is connected to, including determining communication information allowing communication between the portable device and the particular host device.” However, the portion of Ban specifically notes that “the host platform often uploads a USB client driver.” (Ban, column 9, lines 1-10). This means that the host device sends the driver to the client peripheral, in Ban. This is quite different from the portable device identifying the host and uploading to the host. Ban does not teach or suggest the portable device identifying the host. Similarly, with respect to uploading driver, Ban teaches that “the host platform often uploads a USB client driver.” (Ban, column 9, line 2). Ban does not teach or suggest the portable device uploading a driver to the host, as is claimed in claim 21.

Firstly, Applicants respectfully submit that there is no suggestion within the references themselves for the combination suggested by the Examiner. Since Tullis specifically teaches away from such a combination, by providing a camera device that does not store its own data, therefore ensuring that the camera need not act as a file server, there is no motivation to include the use of a host server into Tullis.

Furthermore, even in combination, Tullis, Laity, and Ban do not make the present invention obvious. Claim 21 recites:

A method for providing a variety of disparate host devices access to files residing on a portable device, upon the portable device's connection to one of the host devices, the method comprising:

automatically identifying the particular host device that the portable device is connected to, including determining communication information

allowing communication between the portable device and the particular host device; and

based on said determined communication information:

(1) establishing a communication session between the portable device and the particular host device, said communication session supporting file-serving communication protocols that present the portable device as a file server to the host device; and

(2) if needed by the host for supporting said file-serving communication protocols, automatically uploading a driver from the portable device to the particular host device and thereafter invoking execution of the driver at the particular host device, for providing host-side support for said file-serving communication protocols.

(Claim 21). Neither Ban, Tullis, nor Laity teach or suggest automatically uploading a driver from the portable device to the particular host device, as discussed above. Therefore, claim 21, and claims 22-40 which depend on it, are not obvious over Tullis and Laity, in view of Ban.

The Examiner further added the following references, in rejecting the dependent claims: Examiner rejected claims 23-25, 29-30, and 32 under 35 U.S.C. §103(a) as being unpatentable over Tullis in view of Laity et al. and further in view of Ban et al. as applied to claim 21 above and further in view of Steinberg et al. Examiner rejected claims 27-28 and 36 under 35 U.S.C. §103(a) as being unpatentable over Tullis in view of Laity et al. and further in view of Ban et al. as applied to claim 21 above and further in view of Ward et al. Examiner rejected claims 33-35 under 35 U.S.C. §103(a) as being unpatentable over Tullis in view of Laity et al. and further in view of Ban et al. as applied to claim 21 above, and further in view of Allen et al. None of these references remedy the shortcomings of Tullis, Laity, and Ban discussed above with respect to claim 21. Therefore, claims 21-40 are not obvious over the references cited.

Examiner rejected claims 41 and 43-45 under 35 U.S.C. §103(a) as being unpatentable over U.S. patent 6,005,613 by Endsley et al. in view of Laity et al.

Endsley discusses a multi-mode digital camera, which transfers captured images to a host computer. Endsley discusses the connection between the computer and the host device by stating "The USB hardware and software provides communication between the host 12 and the camera 10 through the aforementioned abstraction called a "pipe." This is the quote to which the Examiner refers, suggesting that the plug-and-play features of USB are equivalent to automatically identifying the particular host device that the portable device is connected to. However, as Applicants have noted above, USB plug-and-play enables the host device to identify the portable device, not vice versa. Discovery of the identity of the host device is not taught or suggested by Endsley. As discussed above, Laity also does not teach or suggest identifying the host device.

Claim 42 recites:

A portable device allowing a variety of disparate host devices access to files residing on the portable device, upon the portable device's connection to one of the host devices, the portable device comprising:

- a connection interface for enabling the connection of the portable device to a particular host device that is capable of hosting the portable device;
- an identification module for automatically identifying the particular host device that the portable device is connected to, including determining communication information allowing communication between the portable device and the particular host device;
- a communication module for establishing a communication session between the portable device and the particular host device, wherein said communication session supports file-serving communication protocols that present the portable device as a file server to the host device.

(Claim 42). As discussed above, the references do not teach or suggest automatically identifying the particular host device that the portable device is connected to, as recited in claim 42. Therefore, claim 42, and claims 43-63 which depend on it, are not obvious over nor anticipated by Endsley in view of Laity.

The Examiner further added the following references, in rejecting the dependent claims: Examiner rejected claims 51, 59, and 62 under 35 U.S.C. §103(a) as being unpatentable over Endsley et al. in view of Laity et al. as applied to claim 41 above, and further in view of Ban et al. Examiner rejected claims 42, 49-50, 52, and 57-58 under 35 U.S.C. §103(a) as being unpatentable over Endsley et al. in view of Laity et al. as applied to claim 41 above, and further in view of Steinberg et al. Examiner rejected claims 46 under 35 U.S.C. §103(a) as being unpatentable over Endsley et al. in view of Laity et al. as applied to claim 41 above, and further in view of U.S. Patent No. 6,535,243 by Tullis et al. Examiner rejected claims 47-48, 56, and 61 under 35 U.S.C. §103(a) as being unpatentable over Endsley et al. in view of Laity et al. as applied to claim 41 above, and further in view of Ward et al. Examiner rejected claims 53-55 under 35 U.S.C. §103(a) as being unpatentable over Endsley et al. in view of Laity et al. as applied to claim 41 above, and further in view of Steinberg et al. and further in view of Allen et al. Examiner rejected claim 60 under 35 U.S.C. §103(a) as being unpatentable over Endsley et al. in view of Laity et al. as applied to claim 41 above, and further in view of U.S. Patent No. 6,529,969 by Inoue. None of these references remedy the shortcomings of Endsley, Laity, and Ban discussed above with respect to claim 41. Therefore, claims 41-60 are not obvious over the references cited.

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

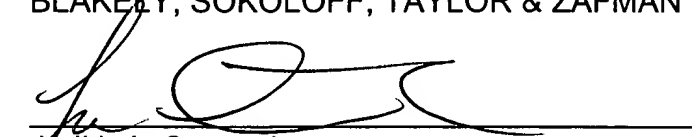
If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Judith Szepesi at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Dated: _____

10/4/09

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Plug and Play Operation

Most of the actual work involved in making Plug and Play function is performed by the system BIOS during the boot process. At the appropriate step of the boot process, the BIOS will follow a special procedure to determine and configure the Plug and Play devices in your system. Here is a rough layout of the steps that the BIOS follows at boot time when managing a PCI-based Plug and Play system:

1. Create a resource table of the available IRQs, DMA channels and I/O addresses, excluding any that are reserved for system devices.
2. Search for and identify PnP and non-PnP devices on the PCI and ISA buses.
3. Load the last known system configuration from the ESCD area stored in non-volatile memory.
4. Compare the current configuration to the last known configuration. If they are unchanged, continue with the boot; this part of the boot process ends and the rest of the bootup continues from here.
5. If the configuration is new, begin system reconfiguration. Start with the resource table by eliminating any resources being used by non-PnP devices.
6. Check the BIOS settings to see if any additional system resources have been reserved for use by non-PnP devices and eliminate any of these from the resource table.
7. Assign resources to PnP cards from the resources remaining in the resource table, and inform the devices of their new assignments.
8. Update the ESCD area by saving to it the new system configuration. Most BIOSes will print a message when this happens like "Updating ESCD ... Successful".
9. Continue with the boot.



Tip: See the section on PCI / PnP in the BIOS area, which describes the BIOS settings that affect how PnP works in a PCI system.



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